

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24904 of 2023

Arising Out of PS. Case No.-185 Year-2021 Thana- PHULPARAS District- Madhubani

Purushottam Yadav @ Purshotam Yadav Son Of Devan Yadav R/O Village-
Bahuwarba, P.S.- Phulparash, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-08-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has prayed for bail in connection with
Phulparas P.S. Case No. 185 of 2021 instituted for the offence
under Sections 147, 148, 149, 447, 323, 324, 325, 307, 302 and
427 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he fired upon
the informant's father on his head due to which he sustained
injuries and co-accused, namely, Devan Yadav and Jairam Yadav
also fired upon him on his rib cage and on his leg. Later on, he
was taken to hospital where the doctor declared him dead.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this present case due to
village politics. It is further submitted that the postmortem report
does not corroborate with the prosecution version. Moreover, the



petitioner is languishing in custody since 19.10.2022.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that the petitioner is named in FIR during investigation, witnesses supported the prosecution case and also there is specific overt act against the petitioner to fire upon the informant's father. It is also submitted that co-accused, namely, Devan Yadav and Jairam Yadav had also fired upon the deceased. The postmortem report shows that multiple fracture of occipital bone with haemorrhage and the doctor opined that the cause of death is due to haemorrhage and shock caused by gun-shot injuries.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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